

Commander's Column

from Inspector of Carriages, Lt. Robert Ciccolo

When I was first asked to do a short column on the new Hackney rule, my first thought was to write about change and how hard it is. After all, whether you like or don't like the new rule, it represents the first major change in the rules since at least 1974 and maybe since 1950.

As I reflected on the industry, it occurred to me how presumptuous and maybe even arrogant it would be for me to lecture the Boston taxi industry on change. I was born and brought up in Boston and followed my father into the same profession in the same city. Whatever adventures I may have had as an urban police officer, my life has been very tame and predictable when contrasted with the repeated uprooting and dislocation endured by the wide pool of immigrants who compose the industry; both owners and drivers.

This column instead will focus on the protections we have tried to build into the new rule. The unfortunate reality is that the industry suffers from a significant level of fraud and abuse. This takes place at multiple levels, with some owners overcharging and defrauding drivers, and some (by no means all) drivers in turn defrauding or overcharging the public. The major theme of the new rule is to clarify who in the industry is responsible for the various requirements and then putting in place a mechanism for enforcement that does not hurt innocent bystanders.

This column will focus on few highlights affecting the relationship between the owner and the driver.

The Vehicle Owner Must:

- Pay to clean the vehicle
- The exterior of all Taxicabs shall be washed daily.
- The interior (Driver's compartment, rear seat area and trunk) shall be vacuumed; the windows and partition washed, and seats wiped daily.
- No Shift Driver shall be made to pay for washing or cleaning of the vehicle exterior or interior.
- No Shift Driver shall be made to hand wash a vehicle.
- Give the Driver an IMMEDIATE receipt for every transaction.
- Do not pay the owner unless he gives you an itemized receipt for the full amount.

Payment of Radio Dues:

- Medallion Lessee's must pay the Medallion owner for

the radio dues. Then the Medallion Owner pays the Association.

- Shift Drivers should never pay radio dues.

Owner Misconduct:

If a Medallion is suspended due to Owner misconduct, the Driver will be paid for his lost time at the waiting time rate of \$28.00 per hour. At a recent meeting held to explain the new rules a number of owners seemed to find this idea rather amusing and could be seen (and heard!) whispering to each other behind their hands about what would happen to any driver that made a complaint.

Owners should be very, very careful about retaliating against drivers who report vehicle violations. The rule also says: "No Medallion Owner (or Lessee in a medallion-only lease) may retaliate in any way against a Hackney Carriage Driver for disclosing, reporting, or testifying about any violation of any regulation or law. Any violation of this section shall result in revocation of the Medallion." The Police Commissioner and the Hackney Carriage Unit are committed to forcing the sale of the medallion if an owner punishes a driver for reporting owner misconduct.

Hopefully, with a lot of hard work and a little cooperation from drivers, the Hackney Carriage Unit will be able to demonstrate its ability to protect drivers who complain about being abused, and this will encourage others to come forward.

To return to my thoughts at the beginning of this column; no one should think that I have anything but admiration for the many decent and honest owners. Most have started out as drivers and worked hard all their lives, endured many adversities, and built vibrant and successful businesses for themselves and their families. It is to make sure that today's drivers have the same opportunity for honest advancement that we are working so hard to build a fair and equitable system that protects the rights of all. ■

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